IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.302 OF 2004

The State of Maharashtra ..Applicant.

V/s.

Hasmukhrai H. Shaha & Anr. ..Respondents.

Ms.Geeta Mulekar APP for State.

Mr.C.V.Kerkar for respondents.

CORAM: A.M.KHANWILKAR,J

DATE : NOVEMBER 17, 2005.

P.C. :

1. Heard counsel for the parties. There is delay of about 206 days in filing of the criminal appeal. The same is opposed by the counsel for the respondent on the argument that no sufficient cause has been made out as to what prevented the applicant to collect certified copy for over two months although it was ready on 29th March, 2003. However, in my view, explanation has been offered in the paragraph 3 and 4 of the application. It is seen that the it is the mistake committed in the office of the Public Prosecutor. As the mistake is unintentional one, in my opinion, in the interest of justice, application deserves to be allowed in terms of prayer clause (a). Ordered accordingly.